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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,832	06/18/2001	Katashi Nagao	9812.0654-00000	3748
22852	7590	05/31/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			AZAD, ABUL K	
		ART UNIT		PAPER NUMBER
				2626

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/763,832	NAGAO, KATASHI	
	Examiner	Art Unit	
	ABUL K. AZAD	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 20 March 2006.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) See Continuation Sheet is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) See Continuation Sheet is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/24/06.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: ____ .

Continuation of Disposition of Claims: Claims pending in the application are 1,2,4-8,10,12-20,22-26,28,30-40,42-45,47-49,51-54,56,131-133,135-139,141-152,154-158,160-171,173-178,180,181,183-188 and 190-202.

Continuation of Disposition of Claims: Claims rejected are 1,2,4-8,10,12-20,22-26,28,30-40,42-45,47-49,51-54,56,131-133,135-139,141-152,154-158,160-171,173-178,180,181,183-188 and 190-202.

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on March 20, 2006.
2. Claims 1, 2, 4-8, 10, 12-20, 22-26, 28, 30-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180, 181, 183-188 and 190-202 are pending in this action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-8, 10, 12-20, 22-26, 28, 30-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180, 181, 183-188 and 190-202 are rejected under 35 U.S.C. 103(a) as being unpatentable over Socher et al. (US 6,446,040) in view of Murata et al. (US 6,029,180).

As per claim 1, Socher teaches, "an electronic document processing apparatus for processing an electronic document", comprising:

"document inputting means fed with an electronic document" (Fig. 1, element 104);

“wherein tag information indicating the inner structure of said electronic document of a hierarchical structure having a plurality elements is added to said electronic document” (col. 2, lines 19-65)

“speech read-out data generating means for generating speech read-out data for reading out by a speech synthesizer based on said electronic document” (Fig. 1, elements 114, 116 and 118);

“wherein said speech read-out data generating means adds to said electronic document, attribute information specifying beginning position of paragraph, sentences and phrases making up the electronic document to generate said speech read-out data” (col. 7, lines 63-67).

Socher does not explicitly teach, “selection means for selecting whether the speech synthesizer is to read out a summary text of the electronic document”. However, Murata teaches, “selection means for selecting whether the speech synthesizer is to read out a summary text of the electronic document” (Fig. 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to read out summary of text in the invention of Socher because Murata teaches his invention provide an information presentation apparatus and method for a user to effectively present and create a summary of the information (col. 2, lines 19-23).

As per claim 2, Socher teaches, “wherein said speech read-out data generating means adds the tag information necessary for reading out in said speech synthesizer to said electronic document” (col. 2, lines 59-65).

As per claim 4, Socher teaches, “wherein the tag information indicating at least paragraphs, sentences and phrases, among a plurality of elements making up the electronic document, is added to the electronic document” (col. 7, lines 59-65); and “wherein said speech read-out data generating means discriminates the paragraphs, sentences and phrases making up the electronic document based on the tag information indicating said paragraphs, sentences and phrases” (col. 2, lines 47-58).

As per claim 5, Socher teaches, “wherein the tag information necessary for reading out by said speech synthesizer is added to said electronic document” (col. 2, lines 59-65).

As per claim 6, Socher teaches, “wherein the tag information necessary for reading out by said speech synthesizer includes the attribute information for inhibiting the reading out” (col. 2, lines 37-58).

As per claim 7, Socher teaches, “wherein the tag information necessary for reading out by said speech synthesizer includes the attribute information indicating the pronunciation” (col. 2, lines 37-58).

As per claim 8, Socher teaches, “wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the language with which the electronic document is formed to generate said speech read-out data” (col. 8, lines 13-14).

As per claim 10, Socher teaches, “wherein if the attribute information representing a homologous syntactic structure among the attribute information specifying the beginning positions of the paragraphs, sentences and phrases appear in

succession in said electronic document, said speech read-out data generation means unifies said attribute information appearing in succession into one attribute information" (col. 3, lines 39-43 and col. 7, lines 63-67).

As per claim 12, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying a read-out inhibited portion to generate said speech read-out data" (col. 2, lines 47-58).

As per claim 13, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the correct reading or pronunciation to generate said speech read-out data" (col. 2, lines 47-65).

As per claim 14, Socher teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the read-out sound volume to generate said speech read-out data" (Fig. 4, element 202).

As per claim 15, Scher teaches, "processing means for performing the processing suited to a speech synthesizer using said speech read-out data" (col. 3, lines 44-50);

"said processing means selecting the speech synthesizer based on the attribute information added to said speech read-out data for indicating the language with which said electronic document is formed" (col. 8, lines 13-14).

As per claim 16, Socher teaches, "processing means for performing the processing suited to a speech synthesizer using said speech read-out data" (Fig. 1);

“said processing means finding the absolute read-out sound volume based on the attribute information added to said speech read-out data indicating the read-out sound volume” (Fig. 4, element 202).

As per claim 17, Socher teaches, “document read-out means for reading said electronic document out based on said speech read-out data” (Fig. 1, element 118).

As per claim 18, Socher teaches, “wherein said document read-out means locates in terms of paragraphs, sentences and phrases making up said electronic document as unit, based on the attribute information indicating the beginning positions of said paragraphs, sentences and phrases among plural elements” (col. 3, lines 39-43 and col. 7, lines 63-67).

As per claim 191, Socher does not explicitly teach, “summary text forming means for processing the electronic document by effective diffusion to form the summary text”. However, Murata teaches, “summary text forming means for processing the electronic document by effective diffusion to form the summary text” (Fig. 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to read out summary of text in the invention of Socher because Murata teaches his invention provide an information presentation apparatus and method for a user to effectively present and create a summary of the information (col. 2, lines 19-23).

As per claims 19, 20, 22-26, 28-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180, 181 183-188 and 190-202 they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1, 2, 4-8, 10, 12-18 and 191.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2, 4-8, 10, 12-20, 22-26, 28, 30-40, 42-45, 47-49, 51-54, 56, 131-133, 135-139, 141-152, 154-158, 160-171, 173-178, 180, 181, 183-188 and 190-202 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(571) 272-7602**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 27, 2006



Abul K. Azad
Primary Examiner
Art Unit 2626